

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

AMARJIT SINGH CHAHIL M.D.

Physician's and Surgeon's
Certificate No. A-53330

File No. 02-1998-89292

DECISION

The attached Stipulation for Surrender of License is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on June 14, 2000.

IT IS SO ORDERED June 7, 2000.

MEDICAL BOARD OF CALIFORNIA

By: Ira Lubell
Ira Lubell, M.D., Chair
Panel A
Division of Medical Quality

1 BILL LOCKYER, Attorney General
of the State of California
2 GAIL M. HEPPELL
Supervising Deputy Attorney General
3 ROBERT C. MILLER
Deputy Attorney General
4 1300 I Street, Suite 125
P.O. Box 944255
5 Sacramento, CA 94244-2550
Telephone: (916) 324-5161
6
7 Attorneys for Complainant

8 **BEFORE THE**
9 **DIVISION OF MEDICAL QUALITY**
10 **MEDICAL BOARD OF CALIFORNIA**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

| | | |
|--------------------------------------|---|-----------------------------|
| 12 In the Matter of the Accusation |) | Case No. 02-1998-89292 |
| Against: |) | |
| 13 |) | STIPULATION FOR |
| 14 AMARJIT SINGH CHAHIL, M.D. |) | SURRENDER OF LICENSE |
| 14 445 W. Eaton Avenue |) | |
| 15 Tracy, CA 95376 |) | |
| |) | |
| 16 Physician and Surgeon's |) | |
| Certificate No. A-53330, |) | |
| |) | |
| 17 Respondent. |) | |

18
19 **IT IS HEREBY STIPULATED AND AGREED** by and between the
20 parties to the above-entitled proceedings, that the following
21 matters are true:

22 1. Complainant, Ronald Joseph, is the Executive
23 Director of the Medical Board of California, Department of
24 Consumer Affairs ("Board") and is represented by Bill Lockyer,
25 Attorney General of the State of California by Robert C. Miller,
26 Deputy Attorney General.

27 2. Amarjit Singh Chahil, M.D. (hereinafter

1 "respondent") is represented by Richard K. Turner, Esq., 555
2 Capitol Mall, Sacramento, California 95814. Respondent has
3 counseled with his attorney concerning the effect of this
4 stipulation which respondent has carefully read and fully
5 understands.

6 3. Respondent has received and read the Amended
7 Accusation which is presently on file and pending in Case Number
8 02-1998-89292 before the Board, a copy of which is attached as
9 Exhibit A and incorporated herein by reference.

10 4. Respondent understands the nature of the charges
11 alleged in the Accusation and that, if proven at hearing, such
12 charges and allegations would constitute cause for imposing
13 discipline upon respondent's license issued by the Board.

14 5. Respondent is aware of each of his rights,
15 including the right to a hearing on the charges and allegations,
16 the right to confront and cross-examine witnesses who would
17 testify against respondent, the right to testify and present
18 evidence on his own behalf, as well as to the issuance of
19 subpoenas to compel the attendance of witnesses and the
20 production of documents, the right to contest the charges and
21 allegations, and other rights which are accorded respondent
22 pursuant to the California Administrative Procedure Act (Gov.
23 Code § 11500, et seq.) and other applicable laws, including the
24 right to seek reconsideration, review by the superior court, and
25 appellate review.

26 6. In order to avoid the expense and uncertainty of a
27 hearing, respondent freely and voluntarily waives each and every

1 one of these rights set forth above. Without admitting the truth
2 of the allegations, respondent agrees that cause exists to
3 discipline his physician and surgeon's license pursuant to
4 Business and Professions Code section 726, and hereby surrenders
5 his license for the Board's formal acceptance.

6 7. Respondent understands that by signing this
7 stipulation he is enabling the Medical Board of California to
8 issue its order accepting the surrender of his license without
9 further process. He understands and agrees that Board staff and
10 counsel for complainant may communicate directly with the Board
11 regarding this stipulation without notice to or participation by
12 respondent. In the event that this stipulation is rejected for
13 any reason by the Board, it will be of no force or effect for
14 either party. The Board will not be disqualified from further
15 action in this matter by virtue of its consideration of this
16 stipulation.

17 8. Upon acceptance of the stipulation by the Board,
18 respondent understands that he will no longer be permitted to
19 practice as a physician and surgeon in California, and also
20 agrees to surrender and cause to be delivered to the Board both
21 his license and wallet certificate before the effective date of
22 the decision.

23 9. Respondent fully understands and agrees that if he
24 ever files an application for relicensure or reinstatement in the
25 State of California, the Board shall treat it as a petition for
26 reinstatement, and the respondent must comply with all the laws,
27 regulations and procedures for reinstatement of a revoked license

1 in effect at the time the petition is filed.

2 10. Respondent understands that he may not petition
3 for reinstatement as a physician and surgeon for a period of two
4 (2) years from the effective date of his surrender. Information
5 gathered in connection with amended accusation number 02-1998-
6 089292 may be considered by the Division of Medical Quality in
7 determining whether or not to grant the petition for
8 reinstatement. For the purposes of the reinstatement hearing
9 only, the allegations in amended accusation number 02-1998-89292
10 shall be deemed to be admitted by respondent, and respondent
11 waives any and all defenses based on a claim of laches.

12 11. All recitals contained in this stipulation are
13 made solely for the purpose of settlement in this proceeding and
14 for any other proceedings in which the Medical Board of
15 California or other professional licensing agency is involved and
16 shall not be admissible in any other criminal or civil
17 proceedings.

18 **ACCEPTANCE**

19 I, Amarjit Singh Chahil, M.D., have carefully read the
20 above stipulation and enter into it freely and voluntarily and
21 with full knowledge of its force and effect, and do hereby
22 surrender my Physician and Surgeon's Certificate No. A-53330 to
23 the Division of Medical Quality, Medical Board of California, for
24 its formal acceptance. By signing this stipulation to surrender
25 my license, I recognize that upon its formal acceptance by the
26 Board, I will lose all rights and privileges to practice as a
27 physician and surgeon in the State of California, and I also will


1 cause to be delivered to the Board by my license and wallet
2 certificate before the effective date of the decision.

3 DATED: 4/6/00.

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6 AMARJIT SINGH CHAHIL, M.D.
7 Respondent

8 I have fully discussed with respondent, Amarjit Singh
9 Chahil, M.D., terms and conditions and other matters contained in
10 the above Stipulation for Surrender of License and approve its
11 form.

12 DATED: 4/13/00.

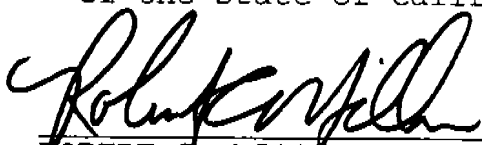
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14 
15 RICHARD K. TURNER, ESQ.
16 Attorney for Respondent

17 **ENDORSEMENT**

18 I concur in the stipulation.

19 DATED: 5/10/00.

20 BILL LOCKYER, Attorney General
21 of the State of California

22 
23 ROBERT C. MILLER
24 Deputy Attorney General

25 Attorneys for Complainant

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EXHIBIT A

BILL LOCKYER, Attorney General
of the State of California
GAIL M. HEPPELL, Supervising
Deputy Attorney General
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Attorneys for Complainant

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
against:

AMARJIT SINGH CHAHIL, M.D.
445 W. Eaton Avenue
Tracy, California 95376

Physician and Surgeon's
Certificate No. A-53330,

Respondent.

Case No. 02-1998-89292

FIRST AMENDED
ACCUSATION

The Complainant alleges:

PARTIES

1. Complainant, Ronald Joseph, is the Executive
Director of the Medical Board of California (hereinafter the
"Board") and brings this accusation solely in his official
capacity.

2. On or about August 3, 1994, Physician and
Surgeon's Certificate No. A-53330 was issued by the Board to

1 Amarjit Singh Chahil, M.D. (hereinafter "respondent"), and at all
2 times relevant to the charges brought herein, this license has
3 been in full force and effect. Unless renewed, it will expire on
4 May, 31, 2002.

5 JURISDICTION

6 3. This accusation is brought before the Division of
7 Medical Quality of the Medical Board of California, Department of
8 Consumer Affairs (hereinafter the "Division"), under the
9 authority of the following sections of the California Business
10 and Professions Code (hereinafter "Code") and/or other relevant
11 statutory enactment:

12 A. Section 2227 of the Code provides that the Board
13 may revoke, suspend for a period not to exceed one year, or
14 place on probation, the license of any licensee who has been
15 found guilty under the Medical Practice Act and may recover
16 the costs of probation monitoring if probation is imposed.

17 B. Section 2234(b) of the Code provides that gross
18 negligence constitutes unprofessional conduct.

19 C. Section 2234(c) of the Code provides that repeated
20 negligent acts constitute unprofessional conduct.

21 D. Section 2234(d) of the Code provides that
22 incompetence constitutes unprofessional conduct.

23 E. Section 726 of the Code provides that any act of
24 sexual abuse, misconduct or relations with a patient
25 constitutes unprofessional conduct.

26 F. Section 125.3 of the Code provides in part that
27

1 the Board may request the administrative law judge to direct
2 any licensee found to have committed a violation or
3 violations of the licensing act to pay the Board a sum not
4 to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 G. Section 14124.12(a) of the Welfare & Institutions
7 Code provides in pertinent part that upon written notice of
8 the Medical Board of California that a physician and
9 surgeon's medical license has been placed on probation as a
10 result of a disciplinary action, no Medi-Cal claim for the
11 type of surgical service or invasive procedure giving rise
12 to the probationary order and performed on or after the
13 effective date of said probationary order or during the
14 period of probation shall be reimbursed, except upon a prior
15 determination that compelling circumstances warrant the
16 continuance of reimbursement during the probationary period
17 for procedures other than those giving rise to the
18 probationary order.

19 4. Respondent is guilty of unprofessional conduct
20 within the meaning of Code sections 726, 2234(b), 2234(c) and
21 2234(d) as more particularly set forth hereinbelow.

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FIRST CAUSE FOR DISCIPLINE

(Sexual Abuse/Misconduct/Relations with Patient)
[Bus. & Prof. Code § 726]

Patient Mallisa W.^{1/}

5. On or about July 20, 1998, Mallisa W., a then 28 year old female, was seen in respondent's medical offices with complaints of migraine headache, nausea and diarrhea. In the course of respondent's care of Mallisa W., respondent caused Mallisa W. to lie on his examination table and raised Mallisa W.'s sweatshirt above her breasts. Respondent then fondled Mallisa W.'s breasts with his hands and touched, rubbed and/or massaged her genital area with his hand. Respondent then placed his mouth on Mallisa W.'s left breast and repeatedly sucked her left breast despite multiple requests from Mallisa W. that he cease such conduct. During the course of respondent's conduct in sucking Mallisa W.'s breast, respondent stated to Mallisa W., "Does this arouse you?"

6. Respondent's conduct as set forth in paragraph 5, above, in fondling Mallisa W.'s breasts, contacting her genital region or placing his mouth on Mallisa W.'s left breast and sucking the breast and asking Mallisa W. whether such conduct was arousing to her, all without medical indication or necessity, constitutes unprofessional conduct within the meaning of Code section 726.

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1. The full names of all patients referred to herein will be made available to respondent upon a timely request for discovery.

1 SECOND CAUSE FOR DISCIPLINE

2 (Gross Negligence)

3 [Bus. & Prof. Code § 2234(b)]

4 7. Complainant realleges paragraph 5, above, and
5 incorporates it herein by reference as if fully set forth at this
6 point.

7 8. Respondent's conduct as set forth in paragraph 5,
8 above, in fondling Mallisa W.'s breasts, contacting her genital
9 region or placing his mouth on Mallisa W.'s left breast and
10 sucking the breast and asking Mallisa W. whether such conduct was
11 arousing to her, all without medical indication or necessity,
12 constitutes unprofessional conduct within the meaning of Code
13 section 2234(b).

14 THIRD CAUSE FOR DISCIPLINE

15 (Sexual Abuse/Misconduct/Relations with Patient)

16 [Bus. & Prof. Code § 726]

17 Patient Cathy F.

18 9. On or about April 13, 1998, Cathy F., a then 34
19 year old female, was seen in respondent's medical offices with
20 complaints of sinus infection including painful sinuses and gums.
21 In the course of respondent's care of Cathy F., respondent placed
22 a stethoscope on Cathy F.'s breasts over her clothing and feigned
23 a stethoscopic examination on Cathy F. In the course of
24 respondent's feigned stethoscopic examination, respondent moved
25 the stethoscope over Cathy F.'s breasts, stopping the movement at
26 or on the areolar areas of Cathy F.'s breasts, and caused her
27 breasts to be moved by pushing against them.

10. Respondent's conduct as set forth in paragraph 9,

1 above, in feigning a stethoscopic examination of Cathy F. while
2 moving the stethoscope over Cathy F.'s breasts, stopping at or on
3 the areolar areas of Cathy F.'s breasts, and pushing against her
4 breasts, all without medical indication or necessity, constitutes
5 unprofessional conduct within the meaning of Code section 726.

6 **FOURTH CAUSE FOR DISCIPLINE**

(Gross Negligence)

7 [Bus. & Prof. Code § 2234(b)]

8 11. Complainant realleges paragraph 9, above, and
9 incorporates it herein by reference as if fully set forth at this
10 point.

11 12. Respondent's conduct as set forth in paragraph 9,
12 above, in feigning a stethoscopic examination of Cathy F. while
13 moving the stethoscope over Cathy F.'s breasts, stopping at or on
14 the areolar areas of Cathy F.'s breasts, and pushing against her
15 breasts, all without medical indication or necessity, constitutes
16 unprofessional conduct within the meaning of Code section
17 2234(b).

18 **FIFTH CAUSE FOR DISCIPLINE**

(Incompetence)

19 [Bus. & Prof. Code § 2234(d)]

20 13. Complainant realleges paragraph 9, above, and
21 incorporates it herein by reference as if fully set forth at this
22 point.

23 14. Respondent's performance of the stethoscopic
24 examination on Cathy F. as set forth in paragraph 9, above,
25 constitutes unprofessional conduct within the meaning of Code
26 section 2234(d).

1 SIXTH CAUSE FOR DISCIPLINE
2 (Sexual Abuse/Misconduct/Relations with Patient)
3 [Bus. & Prof. Code § 726]

4 Susan C.

5 15. On or about July 31, 1999, Susan C., a then 39
6 year old female, was seen in respondent's medical offices with
7 complaints of dizziness, increased pulse rate, and heart
8 palpitations secondary to anxiety attacks. Susan C. had
9 previously been treated for her symptoms with the anxiolytic
10 xanax, but had recently discontinued taking the medication due to
11 her belief that she might be pregnant.

12 16. In the course of respondent's care of Susan C.,
13 respondent stood close to Susan C. and directed Susan C. to raise
14 her dress. Thinking that respondent wished to examine her abdomen
15 for signs of pregnancy, Susan C. raised her dress above her
16 abdominal area, but beneath her breasts. Respondent then assumed
17 a crouching position in front of Susan C. and directed her to
18 raise her dress further to a position above her breasts and to
19 remove her breasts from her brassiere without, however,
20 unsnapping the brassiere. After Susan C. complied with
21 respondent's directions, respondent grasped both Susan C.'s
22 breasts and compressed and/or stroked them in a "kneading"
23 fashion, alternating between Susan C.'s right and left breasts.

24 17. After Susan C. realized that respondent was
25 engaged in improper conduct, she immediately lowered her dress.
26 At the time Susan C. lowered her dress she observed that
27 respondent had an erection.

1 18. Respondent's conduct as set forth in paragraph 16,
2 above, in causing Susan C. to expose her abdomen and her breasts
3 and in compressing, touching or contacting Susan C.'s breasts,
4 all without medical indication or necessity, constitutes
5 unprofessional conduct within the meaning of Code section 726.

6 SEVENTH CAUSE FOR DISCIPLINE

7 (Gross Negligence)

8 [Bus. & Prof. Code § 2234(b)]

9 19. Complainant realleges paragraphs 15-17, above, and
10 incorporates them herein by reference as if fully set forth at
11 this point.

12 20. Respondent's conduct as set forth in paragraph 16,
13 above, in causing Susan C. to expose her abdomen and her breasts
14 and in compressing, touching or contacting Susan C.'s breasts,
15 all without medical indication or necessity, constitutes
16 unprofessional conduct within the meaning of Code section
17 2234(b).

18 EIGHTH CAUSE FOR DISCIPLINE

19 (Incompetence)

20 [Bus. & Prof. Code § 2234(d)]

21 21. Complainant realleges paragraphs 15-17, above, and
22 incorporates them herein by reference as if fully set forth at
23 this point.

24 22. Respondent's conduct as set forth in paragraph 16,
25 above, in examining Susan C. for possible anxiety attacks and
26 symptomology thereof in the manner described therein constitutes
27 unprofessional conduct within the meaning of Code section
28 2234(d).

1 NINTH CAUSE FOR DISCIPLINE

2 (Sexual Abuse/Misconduct/Relations with Patient)

3 [Bus. & Prof. Code § 726]

4 Patient Linda S.

5 23. On or about August 15, 1999, Linda S., a female,
6 was referred by the California Department of Social Services,
7 Disability and Adult Programs Division, to respondent's medical
8 offices for a physical examination relating to her claims of
9 disability due to epilepsy, osteoporosis, arthritis, bronchitis
10 and asthma.

11 24. In the course of respondent's examination of Linda
12 S., respondent caused Linda S. to be seated on an examination
13 table facing respondent. Respondent then placed his hands on or
14 around Linda S.'s neck and repeatedly pulled Linda S. towards him
15 so that Linda S.'s face was almost in contact with respondent's
16 crotch area.

17 25. Following the conduct set forth in paragraph 24,
18 above, respondent placed a stethoscope alternately on each of
19 Linda S.'s breasts over her clothes while squeezing her breasts.
20 Respondent squeezed the nipple on one of Linda S.'s breasts and
21 asked Linda S., "Do you like that?" When Linda S. immediately
22 indicated that she did not like that conduct and directed
23 respondent to immediately cease such conduct, respondent removed
24 the stethoscope without having Linda S. breathe for auscultation.

25 26. Respondent's conduct as set forth in paragraph 24
26 or 25, above, in causing Linda S.'s face to almost contact his
27 crotch area and in inappropriately contacting, compressing or

1 squeezing Linda S.'s breasts and/or nipple of one breast, all
2 without medical indication or necessity, constitutes
3 unprofessional conduct within the meaning of Code section 726.

4 TENTH CAUSE FOR DISCIPLINE

(Gross Negligence)

5 [Bus. & Prof. Code § 2234(b)]

6 27. Complainant realleges paragraphs 23-25, above, and
7 incorporates them herein by reference as if fully set forth at
8 this point.

9 28. Respondent's conduct as set forth in paragraph 24
10 or 25, above, in causing Linda S.'s face to almost contact his
11 crotch area and in inappropriately contacting, compressing or
12 squeezing Linda S.'s breasts and/or nipple of one breast, all
13 without medical indication or necessity, constitutes
14 unprofessional conduct within the meaning of Code section
15 2234(b).

16 ELEVENTH CAUSE FOR DISCIPLINE

(Incompetence)

17 [Bus. & Prof. Code § 2234(d)]

18 29. Complainant realleges paragraphs 23-25, above, and
19 incorporates them herein by reference as if fully set forth at
20 this point.

21 30. Respondent's conduct in performing a physical
22 examination on Linda S. as set forth in paragraphs 24 and 25 upon
23 complaints of epilepsy, osteoporosis, arthritis, bronchitis and
24 asthma constitutes unprofessional conduct within the meaning of
25 Code section 2234(d).

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1 TWELFTH CAUSE FOR DISCIPLINE
2 (Repeated Negligent Acts)
3 [Bus. & Prof. Code § 2234(c)]

4 31. Complainant realleges paragraphs 5, 9, 16, 24 and
5 25, above, and incorporates them herein by reference as if fully
6 set forth at this point.

7 32. Respondent's conduct as set forth in paragraphs 5,
8 9, 16, 24 and 25, or any combination of two or more thereof,
9 constitutes unprofessional conduct within the meaning of Code
10 section 2234(c).

11 PRAYER

12 WHEREFORE complainant requests that a hearing be held
13 on the matters herein alleged and that, following the hearing,
14 the Division issue a decision:

15 1. Revoking or suspending Physician and Surgeon's
16 Certificate Number A-53330 heretofore issued to respondent
17 Amarjit Singh Chahil, M.D.;

18 2. Revoking, suspending or denying approval of the
19 respondent's authority to supervise physician assistants pursuant
20 to Code section 3527;

21 3. Ordering respondent to pay the Division the actual
22 and reasonable costs of the investigation and enforcement of this
23 case and the costs of probation monitoring if probation is
24 imposed; and

25 4. Taking such other and further action as the

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1 Division may deem necessary or proper.

2 DATED: March 8, 2000.

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Ronald Joseph
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant

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